

# EXHIBIT B

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

INSITUFORM TECHNOLOGIES, INC.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CASE NO. 04-10487 GAO
	)	
AMERICAN HOME ASSURANCE	)	
COMPANY,	)	
	)	
Defendant.	)	
	)	

## AFFIDAVIT OF KURT M. MULLEN

I, Kurt M. Mullen, depose and state as follows:

1. I am a member in good standing of the bar of the Commonwealth of Massachusetts. I am an associate at Nixon Peabody LLP, which represents Defendant American Home Assurance Company (“American Home”), in the above-captioned matter. I submit this affidavit in support of American Home’s Motion for Leave to Supplement the Record in Opposition to Insituform’s Cross-Motion for Summary Judgment.

2. Attached as Exhibit 1 is a true and accurate copy of pages 1-4, 25-52, 61-72, 77-88, 113-120 and 129-132 of the manuscript of the Deposition of Larry Mangels, taken on November 17, 2006, in connection with this matter.

3. On December 15, 2006, I received through the mail documents that were requested by me during Mr. Mangels' deposition. Counsel for Insituform identified these documents as including Mr. Mangels' notes from his July 25, 2006 telephone conference with Chris Campos (Insituform's expert on the issue of costs in connection with the MWRA Claim)

- 2 -

and others, as well as backup for payments that Insituform made to D'Allessandro Corp. (the contractor on the MWRA Claim).

4. Attached as Exhibit 2 is a true and accurate copy of documents stamped ITI-AIG 000359-000360, and ITI-AIG 001940-001941, as produced by Insituform in connection with this matter.

5. I also requested during Mr. Mangels' deposition documents relating to the close-out costs that Insituform allegedly incurred in connection with the MWRA Claim. Such documents have not been produced, and my understanding is that counsel for Insituform is still investigating this issue.

I declare under the penalty of perjury that the foregoing is true and correct. Executed this 8th day of January, 2007.

A handwritten signature in black ink, appearing to read "K Mullen", is written over a horizontal line.

Kurt M. Mullen